

## APPLICATION FOR FOOD PERMIT FOR THE 2016 DAVIS COUNTY FAIR



[www.davisfair.com](http://www.davisfair.com)

Dear Vendor,

Thank you for your interest in being a vendor at the Davis County Fair. We appreciate all of our return vendors and welcome new vendors to the fair! We believe that the fair is a great venue to promote local businesses and organizations. Please read below for important information:

### About the Davis County Fair:

- The dates are **August 17<sup>th</sup>-20<sup>th</sup>, 2016**. The fair hours are **11:00 am- 9:00 pm** each day!
  - We are the largest annual event held in Davis County, with estimated **attendance of 40,000-45,000** in 2015!
  - Our entertainment and attractions are geared towards **families** and are suitable for all audiences.
  - We book many new acts or attractions each year to keep the Fair fresh, and the people returning.
  - Admission to the Fair is **free** with the exception of ticketed events and parking.
- **What Vendors Need to Know:**
- Every year we sell out of vendor space, so **sign up early!**
  - The best locations are reserved for sponsors. Your business can be a sponsor and have a prime location. Call Brooks at 801-451-4087 for information.
  - We sell our vendor booths on a **first come first serve basis** and **do not** guarantee exclusivity.
  - We have a **limited number of WiFi & phone lines** available for credit card machines or internet access.
  - Applications will **ONLY** be accepted if:
    - **ALL FIVE pages are returned together (last 5 pages if this packet),**
    - The last page is **signed**,
    - It is submitted with **FULL PAYMENT**.
    - Fair director approves with his signature.

### What's New?!

- Please read through the **ENTIRE contract**. There have **been changes and updates that you need to be aware of**. Signing this contract holds you accountable for each paragraph item.
- We have updated our vendor map to denote power options and availability.
- There will be a **preferred vendor parking area**. Please refer to the attached map.
- PLEASE look at the map, as **booth numbers have changed!**

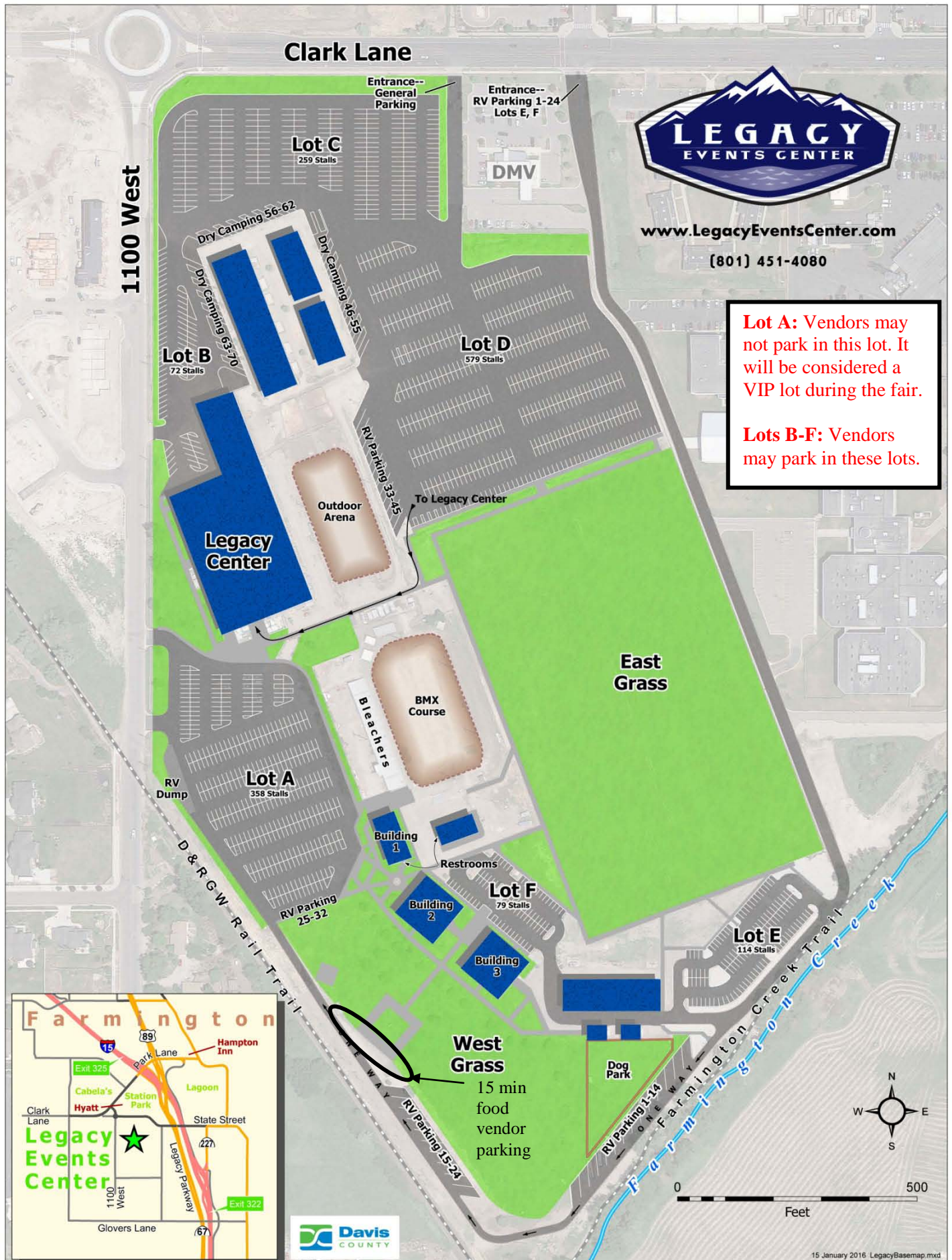
Please submit all vendor applications to the mailing address below. We do have limited space available for larger vendors, or those who do not need a vendor booth. If you have special needs, please call in advance and before returning your agreement; this will allow us to accommodate you more easily. Please call with any questions or concerns!

Best Wishes,

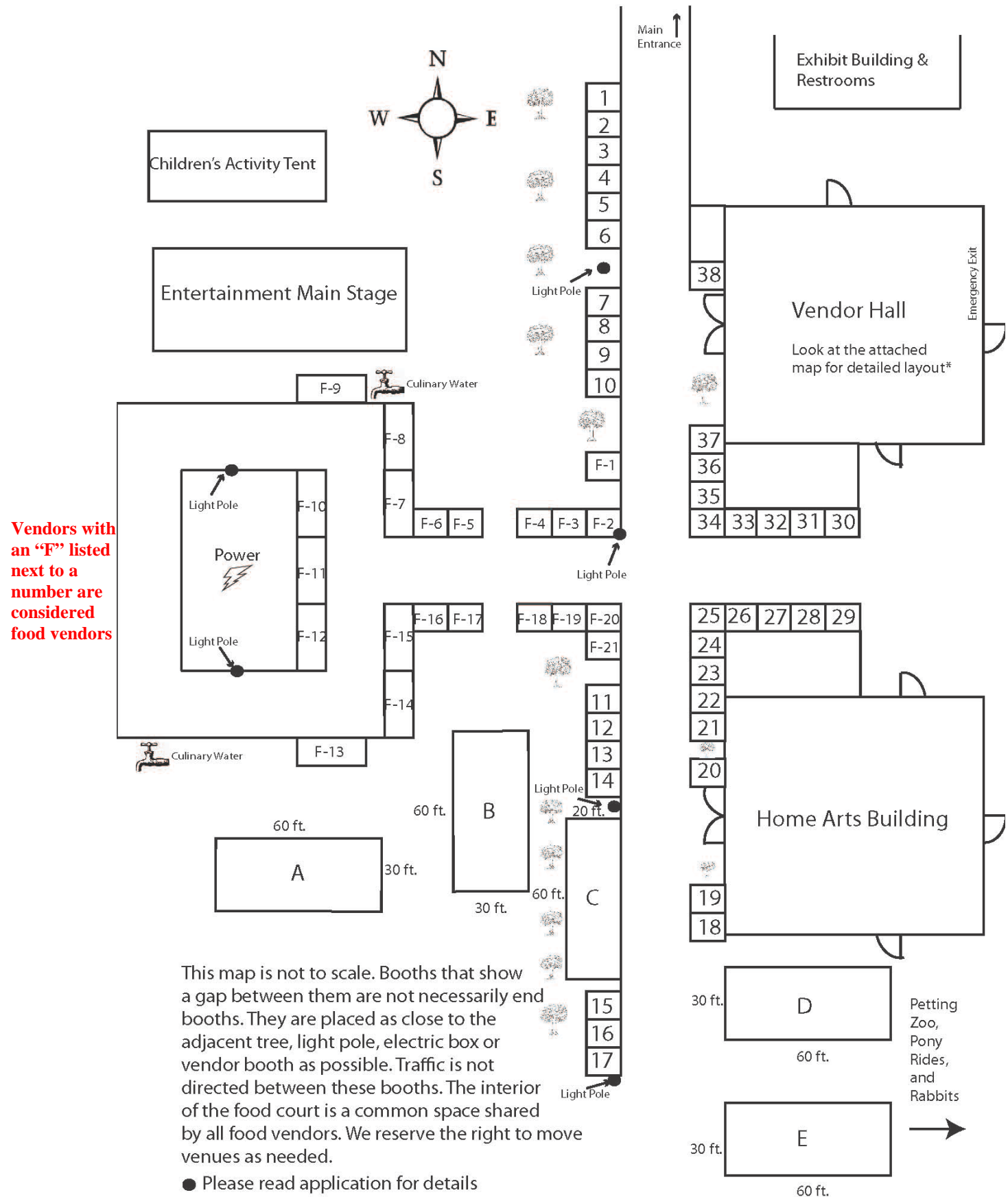
Brooks Burr  
[bburr@daviscountyutah.gov](mailto:bburr@daviscountyutah.gov)  
Fair Coordinator

PO Box 618  
151 S. 1100 W.  
Farmington, UT 84025  
(801) 451-4080  
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The undersigned Food Vendor submits this application to Davis County for authorization to use a space at the Legacy Events Center during the Davis County Fair and acknowledges and agrees to be bound by the authorized use and shall be subject to the permit period and conditions set forth in this application. The dates for the Davis County Fair are **August 17-20, 2016**.

**1. Owner/Operator:** \_\_\_\_\_ Business Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ E Mail Address: \_\_\_\_\_

**2. Space Request: Booth #:** 1st Choice: \_\_\_\_\_ 2nd Choice: \_\_\_\_\_ 3rd Choice: \_\_\_\_\_  
*If choices (1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup>) are not available, we will assign the nearest available booth to your first choice.*  
**Power Needs:** (check one) Standard (110 volts/20 amps) ☐ NONE ☐ Other (indicate in #3) ☐

**3. Special Needs:**  
☐ Special/Additional Electrical (above 110 volts & 20 amps). Specify: \_\_\_\_\_ Additional \$50. See paragraph 29.  
☐ Wireless Internet Access. Additional \$20. See paragraph 27.  
*Other Special Needs:* \_\_\_\_\_

**4. Rental Cost:** Food Vendors selling food items to be consumed on site shall pay rent in the amount of **\$650.00** except for booth F-10 through F-12, they are priced at **\$675.00** because they are considered the highest traffic area. Food booths are designated as F-1 through F-21. The payment for these booths is due **within 10 days** of receiving notice that they have been selected as a food vendor. When making payment, make sure it is the total of all fees if purchasing extra amenities.

Food vendors must supply their own trailer and/or display and tables and tools. Larger space requirements, phone lines, Internet access and special electrical needs come at an additional cost. This permit will not be effective until payment is made in full and the completed application has been signed by the Food Vender and approved and signed by the Fair Director. Rental costs may change until this application is signed by both parties and paid in full. **All food vendors selected will need to provide payment in full within 10 days of the date acceptance notice is sent.** Failure to provide full payment after receiving acceptance notice may result in the loss of the application.

Fees can be paid in cash, by check, or by coming into our fair office and paying with a credit card. If applicant desires to pay with a credit card, they must pay in person and sign the credit card charge authorization slip. **Credit card information will not be processed any other way than in person.** Cash, checks, and money orders will be accepted through the postal service or in person.

**Booth/Space Dimensions:** (see the diagram and paragraph 35)

The allotted space for food vendors in booths F-7 through F15 is approximately 20 x 10.

The allotted space for food vendors in booths F-1 through F-6 and F-16 through F-21 is approximately 14 x 10.

**5. References:** Please provide references of other community events where the Food Vendor has worked:

Event Name	Contact Name	Phone Number	Years at the Event

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**6. Menu:** Please list all menu items, along with price and description, that the Food Vendor will provide at the Davis County Fair. Food vendors must comply to the menu provided and cannot change their menu unless they receive prior written permission from the Fair. We recommend that you limit your menu to 4 main food items and a few sides. Attach an additional sheet if needed.

<i>Menu Item</i>	<i>Description</i>	<i>Price</i>

**7. Trailers & Displays:** Food vendors must provide their own sales trailer, displays and/or fixtures. Trailers and displays **must fit** into the designated area and cannot interfere with other vendors designated areas, walkways, access points or traffic ways. To assure a clean and neat appearance during the Fair, trailer and display appearance is taken into consideration when selecting food vendors. Food vendors are **required** to submit photos of their trailer or sales display as part of this application.

Those using a trailer or any display that is carted or towed into place will have their trailer **delivered to the Legacy Events Center Northwest Parking Lot the Monday before the Fair**. Our grounds manager will place each trailer in its assigned spot. Please make sure your trailer is labeled. If you will be needing power immediately, we will assign you a time to deliver your trailer on the Tuesday before the fair. If the Food Vendor fails to have its trailer delivered by the specified date they may be reassigned to a different location. The Food

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Vendor agrees to hold Davis County harmless if any trailer, equipment, or displays are damaged in transportation or placement by Davis County.

**8. Responsibility:** The Food Vendor herewith agrees to indemnify and hold Davis County, the Davis County Fair Board and/or the Legacy Events Center and, their respective officers, agents, officials and employees, harmless from any action, causes of action, claims for relief, demands, damages, expenses, costs, fees, or compensation, whether or not said actions, causes of action, claims for relief, demands, damages, costs, fees, expenses and/or compensations are known or unknown, are in law or equity, and without limitation, all claims of relief which can be set forth through a complaint or otherwise that may arise out of the acts or omissions, negligent or otherwise of the Food Vendor or its officers, officials, agents, or employees, volunteers or any person or persons under the supervision or control of the Food Vendor or its officers, officials, agents, employees or volunteers.

Davis County, the Davis County Fair Board and/or the Legacy Events Center and their respective officers, agents, officials and employees shall not be responsible for any personal, property, or economic loss occasioned by, caused by or resulting from fire, theft, windstorm, explosion, natural phenomena, cancellation of event(s), loss of occupancy or any other cause incurred by the Food Vendor.

### **9. Insurance:**

#### **A. Required Vendor Insurance Coverages**

The Food Vendor shall obtain and maintain insurance, with a company or companies lawfully authorized to do business in the state of Utah, with coverage provided for claims which may arise out of or resulting from the Food Vendor's actions or omissions relating to its participation at the Davis County Fair and from any actions or omissions for which the Food Vendor may be liable, whether such acts or omissions be by the Food Vendor, a subcontractor of the Food Vendor, or any other party directly or indirectly employed by or contracted with any of them for the following claims:

1. Claims under Workers' Compensation;
2. Claims for disability benefits;
3. Claims for damages because of bodily injury, occupational sickness or disease or death of any person, including the Food Vendor's employees or any person other than the Food Vendor's employees;
4. Claims for damages for personal injury to or death of any person; and
5. Any other claims resulting from any injury or damages incurred or caused by any employees or agents of the CONTRACTOR or any Subcontractor, their employees or agents.

#### **B. Certificate of Insurance**

The Food Vendor shall provide a Certificate of Insurance for the required insurance which is acceptable to Davis County as evidence of that insurance prior to the commencement of the Davis County Fair.

#### **C. Coverage Minimums**

The coverage minimums for the insurance to be provided by the Food Vendor shall be:

1. Workers' Compensation
  - a. The statutory limits for the State of Utah as set forth in the *Utah Code Annotated*.
  - b. Applicable federal requirements.
  - c. Employer's liability in the amount of \$ 100,000.
2. General Liability Insurance
  - a. The Food Vendor shall obtain and maintain either Comprehensive General Liability Insurance in accordance with the following Subsection (1) or Commercial Liability Insurance coverage in accordance with the following Subsection (2):

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1. Comprehensive General Liability Insurance including coverage for premises-operations, personal injury liability with employment exclusion deleted, blanket contractual broad form property damage, X, C and U exclusions deleted with minimum limits of coverage of:
  - a. Combined single limits of \$ 1,000,000; and
  - b. Aggregate limits of \$1,000,000
2. Commercial Liability Insurance including coverage for premises-operations, independent contractors, products and completed operations, with no exclusions to the contractual obligations assumed under the Application with Davis County with minimum limits of coverage of:
  - a. General aggregate limit of \$ 1,000,000
  - b. Products-completed operations aggregate limit of \$ 1,000,000; and
  - c. Combined bodily injury or property damage per occurrence limit of \$ 1,000,000.

**10. Workers Compensation:** Food vendors that are selected must provide proof of workers compensation insurance. If they do not have employees, they must obtain a waiver through the state of Utah that verifies a release from needing workers compensation. A certificate of insurance with appropriate level requirements and proof of workers compensation coverage or state waiver are due on July 15<sup>th</sup>, 2016. Applications can be completed on the state website at:

[http://laborcommission.utah.gov/divisions/IndustrialAccidents/x\\_wccw.html](http://laborcommission.utah.gov/divisions/IndustrialAccidents/x_wccw.html)

**11. Compliance:** The Food Vender shall comply with all applicable state and local health and other laws, rules, regulations and obtain and comply with all required permits, including attendance at any required orientation or training courses. Social security number or business tax identification numbers must be provided to the Utah State Tax Commission upon their request.

**12. Conditions/Rules:** The authorization for the use of the space is subject to the conditions, rules and regulations of Davis County, as amended.

**13. Assignment/Sublease:** The Food Vendor will be given an assigned space and is not given permission to sell or display their product or services in any other location at the Fair or Legacy Events Center. The Food Vender shall not assign or sublet any part of this lease or space.

**14. Costs:** The Food Vender agrees to pay for all costs of collection, default, breach or enforcement hereunder, including a reasonable attorney's fee.

**15. Exclusivity:** The Food Vender is not guaranteed exclusivity. No exclusivity is implied, written, verbal or otherwise. No refunds will be issued based on lack of exclusivity.

**16. Acceptance:** This application is not considered accepted until the Director of the Legacy Events Center has signed this application, and the Food Vender fee/rental cost has been paid in full.

**17. Cancellation or Failure to Show:** If the Food Vendor cancels its application on or after July 1, 2016, it will not receive a refund of the rent it paid. If the Food Vendor cancels before July 1, 2016, it will receive a refund in the amount of one-half of the rent that it paid only after Davis County resells their assigned booth space. **Food vendors who do not arrive and set up their booth by the opening of the Fair on Wednesday shall forfeit their reserved space and the rental fees paid for that space.** Furthermore, Davis County retains the right to resell any unused space.

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- 18. Character of Exhibits:** All exhibits and articles or printed materials intended for display or distribution must be approved by the Davis County Fair Director in advance. Food Venders shall remove any displays and/or materials that may be deemed objectionable or unsuitable for all ages at the Food Vender's costs. The distribution of printed matter and other articles is restricted to the space occupied by the Food Vender. Exhibits deemed unsuitable or objectionable will not be allowed. The Food Vender, by signing this contract authorizes the Davis County Fair Director to inspect all exhibits and all materials and articles intended for distribution. Exhibit booths must be maintained in clean and proper order at all times by the Food Vender.
- 19. Alterations:** Any alterations or changes to booths must have the prior written approval of the Davis County Fair Director. Any approved changes shall be made by the Food Vender without cost to Davis County. The Food Vender must restore the booth to its original form before vacating it. The Food Vender shall be liable for any damage caused by any alterations.
- 20. Installation & Operation Hours of Exhibits:** Booths may be setup on the Tuesday before the Fair, between 9:00 am and 6:00 pm. Food Venders **must be open from 11:00am-9:00pm** each day of the Fair. Food Vendors may begin removing their materials after 9:00 p.m. on Saturday, and must have all of their materials removed by 11:00 p.m. on Saturday. Food Venders will not be given vehicle access to restock or replenish its supplies or products and should plan on carting supplies to their booth once the Fair has begun.
- 21. Removal of Materials after the Fair:** No exhibits and materials may be removed during the operating hours of the Fair. All exhibits and articles must be removed by 11:00 pm the Saturday of the Fair. The Fair and the exhibit buildings will not be open on Sunday. There will be no security present after Saturday. If materials and equipment are not removed by the Sunday after the fair, a fee will be assessed.
- 22. Shipments:** All shipments to food vendors at the Events Center must either be prepaid for by the Food Vender or be received by the Food Vendor or its agent. Neither Davis County nor the Legacy Events Center/Davis County Fair is responsible for any lost or stolen shipments. The Legacy Events Center/Davis County Fair staff will not accept or sign for any deliveries.
- 23. Losses:** Davis County is not responsible for loss of exhibits or the Food Vender's property or supplies before, during or after the Fair, and, therefore, the Food Vender is responsible for insurance to cover any loss. Food Venders are urged not to leave valuable merchandise or items unattended at any time.
- 24. Noise:** No loudspeaker, amplifier or other sound device can be used in the exhibit space without prior written approval of the Davis County Fair Director. Excessive noise from high speaker systems, stereos, televisions, organs, or any other sources is prohibited.
- 25. Taxes:** Food Venders engaging in direct sales shall be responsible directly to the Utah State Tax Commission for the collection and submission of sales taxes. Temporary sales tax numbers will be assigned by the Utah State Tax Commission to all food vendors. All food vendor information from this application may be submitted to the Utah State Tax Commission for their use in collecting taxes. Food vendors may contact the Utah State Tax Commission with questions at 801-297-6303.
- 26. Parking:** All food vendors must park in specified lots or other general fair parking areas (except VIP area indicated in attached map) throughout the duration of open fair hours. No vehicles may drive on the grass or sidewalk, with the exception of food vendor trailers being delivered before the Fair begins and removed after the completion of the Fair. **Vehicles parked anywhere except in a parking lot may be towed at the owner's**



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**expense.** Vehicles will not be allowed back into the vendor area until the Fair has closed on Saturday night. No Food Venders are given permission to park vehicles, RV's or trailers overnight.

**27. Parking Fees:** Parking fees are collected from each vehicle entering the parking lots. Each food vendor will be issued **three (3)** complimentary parking passes per food vendor application. Each pass is valid for the duration of the Fair. No additional passes will be made available. Passes will be issued through the postal service and sent to the address listed on this application.

**28. Phone Lines:** A very limited number of phone lines are available in select booth locations. Requests for phone lines need to be made by selecting the appropriate box in section 3 of this application. Food vendors who receive a phone line will be limited to local and toll free calls. Phone lines cost an additional \$20 per line, per booth.

**29. Internet Access:** Davis County has a limited number of high speed DSL wireless Internet access points available. The cost for Internet access is \$20 per booth. Food vendors must provide their own computer and software. It is recommended that the Food Vendor arrange to test the access prior to signing this application. Food vendors use the Internet at their own risk. There is a limited quantity available.

**30. Right to Move:** Davis County reserves the right to move the Food Vender from one location to another regardless of their space request or previous assignments.

**31. Electricity:** All food vendor booths have one standard electrical outlet with 20 amps and 110 volts available. Each food vendor will need to provide its **own extension cord**. A limited number of locations/booths have 220 volts available. Food Venders requesting 220 volts will be assessed an additional \$50. Other electrical needs may be accommodated, at a minimum additional cost of \$50 and with 2 weeks advance notice. All generators must be approved. If use of a generator is granted, the location of the food vendor may be limited to a perimeter booth. If generator noise or fumes interfere with other vendors operations or with the Fair in general, the generator will have to be turned off, and the Food Vendor will be required to leave.

Neither Davis County nor the Davis County Fair is **responsible** for repairs to the Food Vendor's equipment and supplies. The Food Vendor will be responsible for all such costs and/or expenses.

**32. Fire Lanes:** Paved surfaces surrounding the exhibit buildings and on the west side of the grass area are considered fire lanes. No food vender may park vehicles in these areas. Parking in a fire lane may result in a fine and/or having the vehicle towed at the owner's expense.

**33. Fire Hazards:** Only food vendors may use flames as part of a cooking device used to heat or cook their food. Every food vendor is required to have a fire extinguisher in its booth at all times. Fire extinguishers may be inspected by the Farmington City Fire Department at any time. Food vendors may not cook or have an open flame under a tent, unless the tent has a fire rating of CPAI-84.

Any coal, ashes, or other flammable items need to be placed in a metal container and be properly extinguished. Such items need to be removed from the grounds each night and are not to be disposed of in Davis County Fair garbage cans or on the grounds.

**34. Use of Propane:** Propane tanks and hoses may be inspected at any time by Farmington City Fire Department. Propane tanks and hoses should be new, or in new condition. Tanks that are outdated or that have outdated regulators will not be permitted. Hoses that appear worn, weathered, cracked or otherwise unsafe will

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not be permitted. Any food vender found using unsafe propane products will be ordered to cease operations until the unsafe items can be fixed or replaced by the Food Vender and the Food Vender will not be reimbursed for any expenses or lost revenue.

**35. Temporary Food Establishment Permit:** Each food service vendor must obtain a Temporary Food Service Permit to operate a booth. This permit must be obtained through the Davis County Health Department. The phone number to the Davis County Health Department is 801-525-5128. Application forms and pricing can be found on the following web site:  
<http://www.daviscountyutah.gov/health/>

**36. Food Handler's Permit:** During all hours of operation, the temporary food service permit holder shall have at least one person on site that has a food handler permit accepted by the Davis County Health Department, Division of Environmental Health (Utah Food Handler Permits and those food handler permits that were previously issued by a Utah Health Jurisdiction that has not expired).

**37. Booth Designation:** Food booths are numbered F-1 through F-21, these booths are intended for those selling food items to be consumed on-site. Food vendors may only request these booth spaces. Food vendors must supply their own trailer and/or displays, tables and tools.

**38. Food Coupons:** Volunteers and other fair staff are given food vouchers to use in the food court area for their meals. They will designate the amount of their meal on the voucher and give it to the Food Vendor. The Food Vendor will need to save these vouchers and turn them in or mail them to the Fair office by September 7, 2016 in order to be reimbursed. Food vendors do not have to accept food coupons.

**Food Vender's Signature:** \_\_\_\_\_

**Dated:** \_\_\_\_\_

**Signature of the Director of the Legacy Events Center:** \_\_\_\_\_

**Dated:** \_\_\_\_\_

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*For Fair office use only*

*Total Paid:* \$ \_\_\_\_\_ *Receipt Number:* \_\_\_\_\_ *Date Received:* \_\_\_\_\_

Power needs approved: \_\_\_\_\_